

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37550 of 2024**

Arising Out of PS. Case No.-1081 Year-2021 Thana- EAST CHAMPARAN COMPLAINT  
District- East Champaran

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Asraf Alam Son Of Manzoor Alam Village- Shankar Saraiya, Ps- Turkauliya  
Dist- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rajkishor Sah Son Of Late Jaleshwar Sah Village- Dharmsamaj, Ward No. 13 Ps- Chhatauni, Dist- East Champaran

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Abhishek Kumar  
For the Opposite Party/s : Mr.Abhay Kumar

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      11-07-2024                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence under Section 406 of the Indian Penal Code and Section 138 of the N. I. Act.

3. It is alleged that despite receiving consideration money in advance, the petitioner refused to execute the sale deed in favour of complainant/opposite party no. 2.

4. Learned counsel for the petitioner submits that petitioner has not received any money from the complainant. Moreover, the dispute involved in the complaint petition is of civil nature and none of the acts allegedly committed by the petitioner give rise to any criminal liability. It is out-and-out a civil dispute, for which, complainant has got some other remedy.



5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender before the Court below within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Complaint Case No. 1081 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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